

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE REFCO, INC. SECURITIES
LITIGATION

07 MDL 1902 (JSR)

This Document Relates to

05 Civ. 8626 (JSR)

IN RE REFCO, INC. SECURITIES
LITIGATION

ORDER

DANIEL J. CAPRA, SPECIAL MASTER.

WHEREAS by Notice of Motion filed April 9, 2010 (Dkt. 676), Lead Plaintiffs moved for an order certifying the above-captioned action as a class action and appointing Lead Plaintiffs as Class Representatives (the “Class Certification Motion”);

WHEREAS by Notice of Motion filed April 23, 2010 (Dkt. 685), Grant Thornton LLP moved for summary judgment against Lead Plaintiffs (the “Summary Judgment Motion” and, together with the Class Certification Motion, the “Motions”); and

WHEREAS the Motions were fully briefed as of July 9, 2010;

WHEREAS Lead Plaintiffs and Grant Thornton LLP signed a Stipulation and Agreement of Settlement on October 18, 2010;

WHEREAS Lead Plaintiffs and Joseph J. Murphy, Dennis A. Klejna and William M. Sexton signed a Stipulation and Agreement of Settlement on September 30, 2010; and

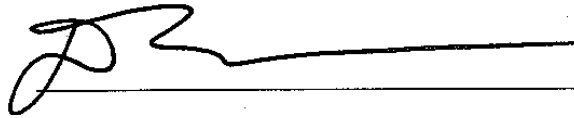
WHEREAS the parties have agreed that the Motions should be withdrawn without prejudice at this time and removed from the calendar;

IT IS HEREBY:

ORDERED that the Motions are hereby removed from the calendar and the Clerk of the Court is directed to close the pending Motions without prejudice.

Dated: November 10, 2010

SO ORDERED

A handwritten signature in black ink, appearing to be 'D. Capra', written over a horizontal line.

Daniel J. Capra
Special Master